100/— (1) (4)

S.B. (Service Matter)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

(CHHATTISGARH)

WRIT PETITION NO. 3838 /2006. **Single Bench**

PETITIONER: Rohit Kumar Verma, Son of Shri Rewa Ram Verma, aged about 41 years, Asst. Teacher, Government Primary School, Muhgaon, Block Education, Saja, District Durg, Chhattisgarh.

P.R. No. 3898/06
Presented by Shri O.P. Singh
dated 25/7/06

VERSUS

Respondents

1. State of Chhattisgarh, Through The Secretary School Education Department Ministry D.K.S.Bhawan, Raipur, Chhattisgarh.
2. Director of School Education Office, D.K.S.Bhawan, Raipur, Chhattisgarh.
3. The District Education Officer, Bemetara, Through Block Development Education Officer, Saja, Durg, Chhattisgarh.

RECEIVED-COPY
25/7/06
CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS, CERTIORARI, PROHIBITION AND FOR THE OTHER SIMILAR WRIT OR WRITS, ORDER OR ORDERS, DIRECTION OR DIRECTIONS.

(21)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP No. 3838/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

7.8.2006:-

Heard Shri O.P. Sahu, counsel for the petitioner.

Shri Sumesh Bajaj, G.A. for the respondents, on advance copy.

By this petition, the petitioner has prayed that respondents be directed to grant two advance increments to the petitioner, as the petitioner has passed the B. Ed. examination on his own expenses.

The case of the petitioner is that he was appointed as Assistant Teacher on 27.2.1984 vide Annexure P-3. As per Instructions dated 24-12-1998 issued by erstwhile State of M.P. the Assistant Teachers who have passed the B.Ed. examination before 22.10.1964 are entitled for two advance increments and the teachers who have passed the B.Ed. examination after 22.10.1964 on their own expenses are also entitled for two advance increments. Other similarly situated persons have moved an application before the State Administrative Tribunal, Bench at Raipur, the Tribunal has granted relief to them and based on that they have been granted two advance increments. The petitioner had passed B. Ed. examination on his own expenses in the year 1994-95 vide Annexure P-5 and inspite of representation made by the petitioner similar treatment is not being given to him.

Therefore, learned counsel for the petitioner submits that the petitioner may be allowed to make a detailed representation to respondent No.3 and in turn, he be directed to decide the same in accordance with law, to which Shri Bajaj, learned Govt. Advocate for the State has no objection.

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, without expressing any opinion on the merit of the case, the petitioner is allowed to make a detailed representation along with

P.T.O.

(22)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Roshan	copy of this petition raising all his grievances to respondent No.3 within a period of 15 days from today and in turn, respondent No.3 is directed to examine the case of the petitioner in the light of averments made by the petitioner in this petition and in the representation also. If respondent No.3 reaches to the conclusion that similarly situated persons have been granted benefit of two advance increments and the petitioner's case is also covered for grant of two advance increments on the basis of Government's order, then to pass orders within a period of 3 months from today, in accordance with law. With the direction aforesaid, the petition stands disposed of. Parties are entitled for certified copy of this order. Sd/- L.C. Bhadoo Judge	

P.T.O.

11.8.06